

REMARKS

The Applicants thank the Examiner for the thorough consideration given the present application. Claims 1, 5-7, 11-14, 18, and 19 are pending. Claims 2-4, 8-10, and 15-17 are cancelled without prejudice to or disclaimer of the subject matter set forth therein. Claims 1, 5, 7, 11, 12, 14, 18, and 19 are amended. Claims 1, 7, and 14 are independent. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

Reasons for Entry of Amendments

At the outset, it is respectfully requested that this Amendment be entered into the Official File in view of the fact that the amendments to the claims automatically place the application in condition for allowance. As noted above, independent claim 1 has been amended to incorporate the amended to incorporate the subject matter of claims 2-4 and the allowable subject matter of claim 6, independent claim 7 has been amended to incorporate the amended to incorporate the subject matter of claims 8-10 and the allowable subject matter of claim 12, and independent claim 14 has been amended to incorporate the amended to incorporate the subject matter of claims 15-17 and the allowable subject matter of claim 19.

In the alternative, if the Examiner does not agree that this application is in condition for allowance, it is respectfully requested that this Amendment be entered for the purpose of appeal. This Amendment reduces the issues on appeal by placing the claims in compliance with 35 U.S.C. § 112, second paragraph, and by canceling claims 2-4, 8-10, and 15-17,

thereby reducing the number of pending claims. This Amendment was not presented at an earlier date in view of the fact that the Examiner has just now presented new grounds of rejection in this Final Office Action.

Allowable Subject Matter

The Examiner states that claims 5 and 18 would be allowable if rewritten in independent form, and that claims 6, 11, 12, and 19 would be allowable if rewritten to overcome the rejections under 35 U.S.C. 112, second paragraph, and to include the limitations of the base and any intervening claims.

The Applicants thank the Examiner for the early indication of allowable subject matter in this application. As set forth above,

independent claim 1 has been amended to incorporate the amended to incorporate the subject matter of claims 2-4 and the allowable subject matter of claim 6,

independent claim 7 has been amended to incorporate the amended to incorporate the subject matter of claims 8-10 and the allowable subject matter of claim 12, and

independent claim 14 has been amended to incorporate the amended to incorporate the subject matter of claims 15-17 and the allowable subject matter of claim 19.

Since the “rivet” is now set forth in each of amended independent claims 1, 7, and 14, were previously disclosed in allowable claims 6, 12, and 19, respectively, the Applicants respectfully submit that the amendments claims 1, 7, and 14 do not raise new issues. Therefore, no further search is required by the Examiner.

In addition, the issues under 35 U.S.C. 112, second paragraph have been addressed.

Therefore, independent claims 1, 7, and 14 are in condition for allowance.

Drawings

It is gratefully appreciated that the Examiner has indicated that the drawings have been accepted.

Foreign Priority

The Examiner has not acknowledged the Applicants' claim for foreign priority. Clarification is respectfully requested in the next official communication.

Rejection Under 35 U.S.C. § 112, second paragraph

Claims 6, 7-13 and 19 stand rejected under 35 U.S.C. § 112, second paragraph. This rejection is respectfully traversed.

In order to overcome this rejection, the Applicants have cancelled claims 6 and 19 and have amended claims 7 and 12 to correct each of the deficiencies specifically pointed out by the Examiner. The Applicants respectfully submit that the claims, as amended, particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Rejection Under 35 U.S.C. § 102(b) and § 103(a)

Claims 1, 7, 13, and 14 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Yasunaga et al. (U.S. 4,878,555).

In addition, claims 2-4, 8-10, and 15-17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Yasunaga et al. in view of Scott (U.S. 6,336,677). These rejections are respectfully traversed.

As noted above,

independent claim 1 has been amended to incorporate the amended to incorporate the subject matter of claims 2-4 and the allowable subject matter of claim 6,

independent claim 7 has been amended to incorporate the amended to incorporate the subject matter of claims 8-10 and the allowable subject matter of claim 12,

independent claim 14 has been amended to incorporate the amended to incorporate the subject matter of claims 15-17 and the allowable subject matter of claim 19.

Support for the novel combination of elements set forth in each of independent claims 1, 7, and 14 can be seen, for example, in FIGS. 2 and 4.

According to the invention of amended claim 1, because the rivet is used to fix each of the fenders to the cover main body at a location in a rear portion of the front side first surface and adjacent to a boundary between the front side first surface and the rear side second surface, where the shape of the fenders significantly changes and access of tools is generally difficult, the manufacturing operation to fix the fenders to the cover main body at a manufacturing site is greatly facilitated.

Applicants respectfully submit that the combination of elements as set forth in each of independent claims 1, 7, and 14 is not disclosed or made obvious by the prior art of record, including Yasunaga et al. and Scott.

As can be seen in Yasunaga et al. FIGS. 1 and 2, this document merely discloses a combined bonnet and front fender unit. Thus, with the Yasunaga et al. device, the fenders cannot be installed or removed separately from the bonnet. Therefore, the Yasunaga et al. document cannot suggest the inventions set forth in claims 1, 7, and 14.

While the Scott document was used in the rejection of claims 1, 7, and 14, the Applicants note that the Scott document merely discloses fenders 102 bolted to a trailer 104, with a fender skirts 100 being disposed therebetween.

Thus, no combination of the cited references can teach independent claims 1, 7, and 14 of the present invention.

At least for the reasons explained above, Applicants respectfully submit that the combination of elements as set forth in each of independent claims 1, 7, and 14 is not disclosed or made obvious by the prior art of record, including Yasunaga et al. and Scott.

Therefore, independent claims 1, 7, and 14 are in condition for allowance.

The Examiner will note that dependent claims 5, 6, 11, 12, 18, and 19 are amended.

All dependent claims are in condition for allowance due to their dependency from allowable independent claims, or due to the additional novel features set forth therein.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §102(b) and §103(a) are respectfully requested.

CONCLUSION

Since the remaining patents cited by the Examiner have not been utilized to reject claims, but merely to show the state of the art, no comment need be made with respect thereto.

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 205-8000.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for

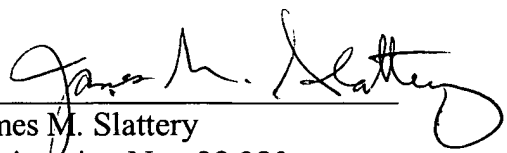
*Application No. 10/669,607
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Art Unit: 3618
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any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

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Respectfully submitted,

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